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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/771,803
				Filing Date	February 4, 2004
				First Named Inventor	Lutz Freitag
				Art Unit	3771
				Examiner Name	T.K. Mitchell
Sheet	1	of	4	Attorney Docket Number	023189.0101PTUS

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/SD/		US-4,231,365	11/4/1980	Scarberry	
		US-4,449,523	5/22/1984	Szachowicz et al.	
		US-4,825,859	05-02-1989	Lambert, R.	
		US-4,838,255	06-13-1989	Lambert, R.	
		US-4,850,350	07-25-1989	Jackson, I.	
		US-4,905,688	3/6/1990	Vicenzi et al.	
		US-4,938,212	7/3/1990	Snook, et al.	
		US-4,967,743	11-06-1990	Lambert, R.	
		US-5,000,175	03/19/1991	Pue	
		US-5,022,394	6/11/1991	Chmielinski	
		US-5,024,219	6/18/1991	Dietz	
		US-5,038,771	8/13/1991	Dietz	
		US-5,058,580	10/22/1991	Hazard	
		US-5,134,995	8/4/1992	Gruenke et al.	
		US-5,134,996	08/04/1992	Bell	
		US-5,148,802	9/22/1992	Sanders et al.	
		US-5,186,167	02-16-1993	Kolobow, T.	
		US-5,193,533	03-16-1993	Body, et al.	
		US-5,233,979	8/10/1993	Strickland	
		US-5,243,972	9/14/1993	Huang	
		US-5,255,675	10-26-1993	Kolobow, T.	
		US-5,271,388	12/21/1993	Whitwam et al.	
		US-5,339,809	8/23/1994	Beck, Jr. et al.	
		US-5,419,314	5/30/1995	Christopher, K.	
		US-5,438,980	8/8/1995	Phillips	
		US-5,460,613	10-24-1995	Ulrich, et al.	
		US-5,485,850	1/23/1996	Dietz	
		US-5,513,628	05-07-1996	Cole,s et al.	
		US-5,598,840	02-04-1997	Iund, et al.	
		US-5,669,380	9/23/1997	Garry et al.	
		US-5,715,812	2/10/1998	Deighan et al.	
		US-5,715,815	2/10/1998	Lorenzen et al.	
		US-5,740,796	4/21/1998	Skog	
		US-5,791,337	08/11/1998	Coles, et al.	
		US-5,819,723	10/13/1998	Joseph	
		US-5,904,648	05/18/1999	Arndt, et al.	
		US-5,975,077	11/2/1999	Hofstetter et al.	
		US-6,039,696	3/21/2000	Bell, Craig J.	
		US-6,152,132	11/28/2000	Psaros	
		US-6,220,244	4/24/2001	McLaughlin	
		US-6,227,200	05-08-2001	Crump, et al.	
		US-6,357,438	3/19/2002	Hansen	
		US-6,427,690	8/6/2002	McCombs et al.	
		US-6,457,472	10/1/2002	Schwartz et al.	
		US-6,520,176	2/18/2003	Dubois et al.	
/SD/		US-6,520,183	12/12/2002	Amar, D.	

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/SD/	US-6,575,944	06/10/2003	McNary, et al.	
	US-6,655,382	12/2/2003	Kolobow	
	US-6,668,829	02/27/2003	Biondi et al.	
	US-6,705,314	3/16/2004	O'Dea	
	US-6,810,876	05/01/2003	Berthon-Jones	
	US-6,814,073	11/9/2004	Wickham	
	US-6,840,240	1/11/2005	Berthon-Jones et al.	
	US-6,877,511	4/12/2005	DeVries et al.	
	US-6,910,480	6/28/2005	Berthon-Jones	
	US-6,910,482	8/14/2003	Bliss et al.	
	US-6,913,601	9/20/2001	St. Goar et al.	
	US-6,915,803	1/13/2005	Berthon-Jones et al.	
	US-6,920,878	12/11/2003	Sinderby et al.	
	US-6,932,084	07/03/2003	Estes et al.	
	US-6,941,950	4/17/2003	Wilson et al.	
	US-6,948,497	8/7/2003	Zdrojowski et al.	
	US-6,951,217	8/21/2003	Berthon-Jones	
	US-6,997,881	6/30/2005	Green et al.	
	US-7,000,612	4/28/2005	Jafari et al.	
	US-7,011,091	4/10/2003	Hill et al.	
	US-7,017,574	3/10/2005	Biondi et al.	
	US-7,044,129	9/03/2003	Truschel et al.	
	US-7,066,173	8/3/2003	Banner et al.	
	US-7,077,132	1/8/2004	Berthon-Jones	
	US-7,080,646	2/26/2004	Wiesmann et al.	
	US-7,100,607	10/13/2005	Zdrojowski et al.	
	US-7,121,277	6/27/2002	Ström	
	US-7,152,598	12/23/2004	Morris et al.	
	US-7,222,623	6/2/2005	DeVries et al.	
	US-7,255,103	11/25/2004	Bassin	
	US-7,267,122	11/11/2004	Hill	
	US-7,270,128	2/16/2006	Berthon-Jones et al.	
	US-7,296,573	11/10/2005	Estes et al.	
	2001/0035185	11/01/2001	Christopher, K.	
	2002/0179090	12/05/2002	Boussignac, A.	
	2003/0121519	7/3/2003	Estes et al.	
	2003/0145853	8/7/2003	Muellner	
	2003/0150455	8/14/2003	Bliss et al.	
	2004/0040560	3/4/2004	Euliano et al.	
	2004/0221848	11/11/2004	Hill	
	2004/0231674	11/25/2004	Tanaka	
	2004/0237963	12/2/2004	Berthon-Jones	
	2005/0247308	11/10/2005	Frye, et al.	
	2004/0255943	12/23/2004	Morris et al.	
	2005/0005936	1/13/2005	Wondka	
	2005/0005938	1/13/2005	Berthon-Jones et al.	
	2005/0034721	2/17/2005	Freitag	
	2005/0034724	2/17/2005	O'Dea	
	2005/0061322	3/24/2005	Freitag	
/SD/	2005/0087190	4/28/2005	Jafari et al.	

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/SD/		2005/0098179	5/12/2005	Burton et al.	
		2005/0121033	6/9/2005	Starr et al.	
		2006/0005834	1/12/2006	Aylsworth et al.	
		2006/0096596	5/11/2006	Occhialini et al.	
		2006/0150972	7/13/2006	Mizuta et al.	
		2006/0201504	9/14/2006	Singhal et al.	
		2006/0243278	11/2/2006	Hamilton et al.	
		60/924,514 (co-pending)	5/18/2007	Wondka et al.	
		60/960,370 (co-pending)	9/26/2007	Wondka et al.	
/SD/		60/960,362 (co-pending)	9/26/2007	Wondka et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
/SD/		WO-07/142812 (co-pending)	12/13/2007	Freitag		
		CA-2535450 (co-pending)	2/17/2005	Freitag		
		CN-200480029872 (co-pending)	no date	Freitag		X
		DE-10337138.9 (co-pending)	no date	Freitag		X
		EP 0125424	11/21/1984	van den Bergh		
		EP-1654023 (co-pending)	5/10/2006	Freitag		X
		IN-317/KOLNP/06 (co-pending)	no date	Freitag		X
/SD/		JP-2006/522883 (co-pending)	no date	Freitag		X

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/SD/		International Search Report for WO 2005/014091 (Application no. PCT/DE04/1646), dated January 17, 2005	
		Christopher, et al., "Transtacheal Oxygen Therapy for Refractory Hypoxemia," JAMA, 1986, Vol. 256, No. 4, pp. 494-97.	
/SD/		Fink, J.B., "Helium-Oxygen: An Old Therapy Creates New Interest," J Resp Care Pract now RT for Decision Makers in Respiratory Care, April 1999, pp. 71-76.	

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Sheet	4	of	4	Attorney Docket Number	023189.0101PTUS

/SD/		Haenel, et al., "Efficacy of Selective Intrabronchial Air Insufflation in Acute Lobar Colapse," <u>Am J Surg</u> , 1992, Vol. 164, No. 5, pp. 501-05.	
		"AARC Clinical Practice Guideline: Oxygen Therapy in the Home or Extended Care Facility," <u>Respir Care</u> , 1992, Vol. 37, No. 8, pp. 918-22.	
		MacIntyre, N. R., "Long-Term Oxygen Therapy: Conference Summary," <u>Resp Care</u> , 2000, Vol. 45, No. 2, pp. 237-45.	
		VHA/DOD Clinical Practice Guideline, "Management of Chronic Obstructive Pulmonary Disease," Ver. 1.1a, Aug. 1999, Updated Nov. 1999	
		Blanch, L. L., "Clinical Studies of Tracheal Gas Insufflation," <u>Respir Care</u> , 2001, Vol. 45, No. 2, pp. 158-66.	
		GREGORETTI, et al., "Transtracheal Open Ventilation in Acute Respiratory Failure Secondary to Severe Chronic Obstructive Pulmonary Disease Exacerbation," <u>Am J Respir Crit Care Med</u> , 2006, Vol. 173, No. 8, pp. 877-81.	
		CHRISTOPHER, et al., "Preliminary Observations of Transtracheal Augmented Ventilation for Chronic Severe Respiratory Disease," <u>Respir Care</u> , 2001, Vol. 46, No. 1, pp. 15-25.	
		CHANG, et al., "Reduced Inspiratory Muscle endurance Following Successful Weaning From Prolonged Mechanical Ventilation," <u>Chest</u> , 2005, Vol. 128, No. 2, pp. 553-59.	
		GAUGHAN, et al., "A Comparison in a Lung Model of Low- and High-Flow Regulators for Transtracheal Jet Ventilation," <u>Anesthesiology</u> , 1992, Vol. 77, No. 1, pp. 189-99.	
		MENON, et al., "Tracheal Perforation. A Complication Associated with Transtracheal Oxygen Therapy," <u>Chest</u> , 1993, Vol. 104, No. 2, pp. 636-37.	
/SD/		ROTHER, et al., "Near Fatal Complication of Transtracheal Oxygen Therapy with the SCOOP(R) System," <u>Pneumologie</u> , 1996, Vol. 50, No. 10, pp. 700-02. (English Abstract provided)	

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